

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK ROGOWSKI and NANCY ROGOWSKI,

Plaintiffs,

ECF CASE

-against-

JEFFREY FEAGLES, MICHAEL SWEETON,
THOMAS SHUBACK, TSKS, LLC and
THE TOWN OF WARWICK,

WAIVER OF SERVICE
OF SUMMONS

08 CIV 0517 (KMK)(MDF)

Defendants.

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TO: ROBERT N. ISSEKS, ESQ.
6 North Street
Middletown, New York 10940

I acknowledge receipt of your request that I waive service of a summons in the action of Rogowski v. Feagles, et al, which is case number **08 CIV 0517 (KMK)(MDF)** in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after **January 30, 2008**, or within 90 days after that date if the request was sent outside the United States.

Date: 1/31/08


Signature

Thomas Shuback
Printed/typed name

(as _____)

(of _____)